

IN THE COURT OF SRI SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Anticipatory Bail Petition No. 889 of 2026

Date of filing : 30.06.2026

Date of order : 05.08.2026

1. Nitish Kumar @ Nitesh Kumar son of Bateshwar Paswan, resident of village Jethaur Kakariya, p.s. Barahat, district Banka

..... Petitioners

-Versus-

State of Bihar

.....Opposite Party

with

Anticipatory Bail Petition No. 921 of 2026

Date of filing : 09.07.2026

Date of order : 05.08.2026

2. Bateshwar Paswan son of Jago Paswan, age 51 years

3. Anant Kumar son of Bateshwar Paswan, age 22 years

4. Madho Paswan son of Gaivi Paswan, age 22 years

5. Kundan Kumar Paswan son of Madho Paswan, age 30 years

All resident of village Digghi Pokhar, p.s. Amarpur, district Banka

..... Petitioners

-Versus-

1. State of Bihar

.....Opposite Party

Present : - Sri Ajay Kumar Singh, Advocate for the Petitioners
Sri Hira Lal Singh, Public Prosecutor for the State

ORDER

1. Apprehending arrest the petitioners have preferred this pre-arrest bail application who are booked in Amarpur Police Station Case No. 344 of 2026, for the offence allegedly committed under Section 87 of BNS.

2. Since both these anticipatory bail petitions have arisen of the same case, hence with the concurrence of all, both petitions are taken together and being disposed of by a common order.

3. The case of prosecution is based upon a gravamen filed by one Thakur Yadav with the allegations that on 08.06.2026, at about 3-pm, his daughter Jitani Kumar, aged about 29 years, had gone to market to purchase cloths. When she did not return, he tried to search and it came to his knowledge that Nitesh

Kumar eloped her by enticing. When he went to the house of Nitesh Kumar Paswan, then Bateshwar Paswan and Anant Paswan abused and was adamant to beat him.

4. *The prosecutrix Jitani Devi appeared in person and stated that she has solemnized marriage with Nitish Kumar @ Nitesh Kumar at her own.*

5. *Learned counsel for petitioners in his oral arguments submitted that the accused no. 1 and the prosecutrix, duo eloped from their house for marriage. The prosecutrix is major. He drew attention of the court on the certificate issued by the In-charge Headmaster, Adarsh Balika High School, Amarpur inter-alia stating that the date of birth of Jitani Kumari is 07.07.2007.*

6. *The learned Public Prosecutor for the State stoutly opposed the bail application.*

7. *Heard rival submissions and perused the record. Keeping in view the statement of the prosecutrix as well as the age of the prosecutrix, these pre-arrest bail applications are hereby allowed. It is, therefore, ordered that upon arrest or surrender of the petitioners within fortnight of receiving the instant order the petitioners be admitted to anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of trial court subject to condition as laid down under Section 482(2) of the BNSS. Out of the two sureties, one will be of the same village or close relative of petitioners.*

8. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

(Dictated)

(Satya Bhushan Arya)
Sessions Judge, Banka
05.08.2026